

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

JOSE NIEVES-VELEZ (1)

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CRIMINAL ACTION

NO. 19-307-1

ORDER

AND NOW, this 18th day of October, 2019, upon consideration of the Motion to Suppress Evidence and Statements (ECF 29), which was filed by Defense Counsel during the pendency of the original Indictment, and having considered that the Government has filed a Superseding Indictment (ECF 34), it is hereby **ORDERED** that the Motion is **DENIED** as moot. The Court has determined that Defense Counsel shall review any and all new discovery since the filing of the Superseding Indictment. Defense Counsel will have the option to refile a motion to suppress, or any other pretrial motion, during the appropriate time period in accordance with a revised scheduling order.

IT IS SO ORDERED.

BY THE COURT:

/s/ Chad F. Kenney
Chad F. Kenney,
U.S. District Judge

cc: Counsel (ECF)